DETAILED ACTION

This communication is responsive to Amendment filed 12/28/09.

Claims 1-8 are pending in this application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the

changes and/or additions be unacceptable to applicant, an amendment may be

filed as provided by 37 CFR 1.312. To ensure consideration of such an

amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone

interview with Applicant's representative, Mr. Joel M. Fogelson, on 01/14/10.

Cancel claims 2-4, 6-8

The application has been amended as follows:

1. (currently amended) A method of segmenting a media object for transmission

over a network, comprising the steps of:

partitioning a <u>video</u> media object into at least two segments;

assigning at least one of said segments to a file partition handler; ~~and~~

transmitting said at least one segment using an assigned user datagram

protocol port, wherein said at least two segments are sent to unique user

datagram protocol ports at the same client device in parallel;

notifying a master controller that a file partition handler has transmitted said at least one segment,

wherein said master controller operates at least two file partition handlers where at least one segment of said partitioned media object' constituting a major segment, is broken into minor segments, each minor segment being assigned to a file partition handler by said master controller,

wherein said minor segments are successfully transmitted by said at least two file partition handlers before a second major segment is broken into minor segments and transmitted by said file partition handlers,

wherein said master controller keeps track of lost segments not successfully transmitted in a linked list,

wherein said master controller causes said file partition handler responsible for said lost segment to retransmit said lost segment,

wherein said master controller reassigns said segment of said partitioned media object to a second file partition handler in response when said file partition handler fails to deliver said segment,

wherein said master controller communicates with a second master controller using a Transmission Control Protocol and Internet Protocol based transmission scheme, and said file partition handlers communicates with a server using UDP ports; and

<u>assigning an additional segment of said partitioned media object to said</u>

<u>file partition handler for transmission.</u>

2 - 4 (canceled)

5. (previously presented) The method of Claim [[2]] <u>1</u>, wherein said master

controller and file partition handlers are part of a server used to transmit said

media object.

6 – 9 (canceled)

Claims 10 - 14 (withdrawn)

Claims 15-16 (cancelled)

Claims 17 - 18 (withdrawn)

Statement of Reasons for Allowance

Claims 1, 5 are allowed.

The following is an examiner's statement of reasons for allowance.

The present invention is directed to a method for assigning transmitting a

media object through a network based on the physical capabilities of such a

network. The media object is parsed into multiple partitions that are segmented

are transmitted to a client, based on the availability of access points and

resources at the client side and the network connections between such access

points and a server transmitting such a media object.

Independent claim 1 recites, or similarly recites, in combination with the remaining elements, *transmitting said at least one segment using an assigned user datagram protocol port, wherein said at least two segments are sent to unique user datagram protocol ports at the same client device in parallel; notifying a master controller that a file partition handler has transmitted said at least one segment, wherein said master controller operates at least two file partition handlers where at least one segment of said partitioned media object' constituting a major segment, is broken into minor segments, each minor segment being assigned to a file partition handler by said master controller, wherein said minor segments are successfully transmitted by said at least two file partition handlers before a second major segment is broken into minor segments and transmitted by said file partition handlers, wherein said master controller keeps track of lost segments not successfully transmitted in a linked list, wherein said master controller causes said file partition handler responsible for said lost segment to retransmit said lost segment, wherein said master controller reassigns said segment of said partitioned media object to a second file partition handler in response when said file partition handler fails to deliver said segment, wherein said master controller communicates with a second master controller using a Transmission Control Protocol and Internet Protocol based transmission scheme, and said file partition handlers communicates with a server using UDP ports; and assigning an additional segment of said partitioned media object to said file partition handler for transmission.*

The closest prior art, Duanet al (US 7,143,433), in view of Jerding et al (US 7,010,801) show similar Video distribution systems using dynamic segmenting of video data files.   However, prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification. After a further search and a thorough examination of the present application and in light of the prior art made of record, claims are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James K. Trujillo, can be reached at (571) 272-3677. The fax number to this Art Unit is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

/Miranda Le/
Primary Examiner, Art Unit 2159